

Major Issues Raised by the United States

The United States considers that Mexico made a determination of threat of material injury in contravention of Articles 3 and 12 of the Anti-dumping Agreement, including: by failing to evaluate all relevant economic factors and indices having a bearing on the state of the industry; by failing to perform an objective examination of the consequent impact of imports found to be dumped on domestic producers of the like product; by failing to determine that there was a clearly foreseen and imminent change in circumstances that would create a situation in which dumping of imports of live swine of a weight more than or equal to 50 kilograms and less than 110 kilograms would cause injury; and by failing to determine that material injury would occur unless protective action were taken.

The United States also considers that Mexico has failed to comply with the requirements of Article 6 of the Anti-Dumping Agreement, including: by failing to provide respondent U.S. exporters with timely opportunities to see and prepare presentations on the basis of all information used by the investigating authority that is relevant to the anti-dumping investigation; and by failing to inform respondent U.S. exporters, before the final determination was made, of the essential facts under consideration which form the basis of Mexico's decision to apply definitive measures.

In addition, Mexico appears to be restricting or prohibiting the entry of U.S. live swine through measures, other than anti-dumping duties, in a manner inconsistent with its obligations under other WTO Multilateral Agreements on Trade in Goods. First, Mexico appears to have prohibited the importation of swine weighing 110 kilograms or more. Second, notwithstanding the apparent ban on importation of such swine, Mexico also appears to be maintaining sanitary restrictions on imported swine that constitute arbitrary and unjustified discrimination because no similar measures are applied to swine in Mexico. Furthermore, there does not appear to be a scientific basis for these measures. Finally, the United States understands that Mexico may have adopted technical regulations, not constituting sanitary measures, that are applicable to imported, but not domestic, swine.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in the dispute. Comments must be in English and provided in fifteen copies. A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the commenter. Confidential business information must be clearly marked "BUSINESS CONFIDENTIAL" in a contrasting color ink at the top of each page of each copy.

Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If the submitter believes that information or advice may qualify as such, the submitter—

(1) Must so designate the information or advice;

(2) Must clearly mark the material as "SUBMITTED IN CONFIDENCE" in a contrasting color ink at the top of each page of each copy; and

(3) Is encouraged to provide a non-confidential summary of the information or advice. Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), USTR will maintain a file on this dispute settlement proceeding, accessible to the public, in the USTR Reading Room: Room 101, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508. The public file will include a listing of any comments received by USTR from the public with respect to the dispute; if a dispute settlement panel is convened, the U.S. submissions to that panel, the submissions, or non-confidential summaries of submissions, to the panel received from other participants in the dispute, as well as the report of the panel; and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket WTO/D-203, Mexico—Measures Affecting Trade in Live Swine) may be made by calling Brenda Webb, (202) 395-6186. The USTR Reading Room is open to the public from 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

A. Jane Bradley,

Assistant United States Trade Representative for Monitoring and Enforcement.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Dockets OST-00-7231 and OST-00-7232]

Applications of Air-Serv., Inc. d/b/a Airserv d/b/a Indigo, L.L.C. d/b/a Newworldair Holdings, Inc., for Issuance of New Certificate Authority

AGENCY: Department of Transportation.

ACTION: Notice of order to show cause (Order 2000-8-1)

SUMMARY: The Department of Transportation is directing all interested persons to show cause why it should not issue orders finding Air-Serv., Inc. d/b/a AirServ, d/b/a Indigo, L.L.C., and d/b/a NewWorldAir Holdings, Inc., fit, willing, and able and awarding it certificates of public convenience and necessity to engage in interstate and foreign charter air transportation of persons, property and mail as a certificated air carrier.

RESPONSES: Objections and answers to objections should be filed in Dockets OST-00-7231 and OST-00-7232 and addressed to the Department of Transportation Dockets, 400 Seventh Street, SW., PL-401, Washington, DC 20590, and should be served on all persons listed in Attachment A to the order. Persons wishing to file objections should do so no later than August 8, 2000.

FOR FURTHER INFORMATION CONTACT: Mr. James Lawyer, Air Carrier Fitness Division (X-56, Room 6401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-1064.

Dated: August 1, 2000.

A. Bradley Mims,

Acting Assistant Secretary for Aviation and International Affairs.

[FR Doc. 00-19984 Filed 8-7-00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Discretionary Cooperative Agreements To Support Seat Belt Enforcement With State Associations of Chiefs of Police

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Announcement of Cooperative Agreements in conjunction with the *Buckle Up America Campaign* to increase seat belt enforcement with the State Associations of Chiefs of Police.